

HAND CARRY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: P. Rubin Confirmation No.: 4257
Serial No.: 10/084,250 Art Unit: 1616
Filed: February 28, 2002 Examiner: M. Haghighatian
For: Methods and Compositions Using Attorney Docket No.: 4821-469-999
Norastemizole in Combination with
Leukotriene Inhibitors

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

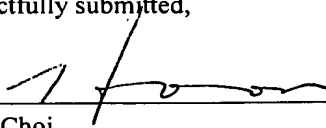
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 1, 2005 of the Primary Examiner finally rejecting claims 12-16, 30-41 and 50-66 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 1 additional month(s):
☐ was filed on
☒ is submitted herewith.
2. ☒ A timely response to the final rejection was filed August 26, 2005.
3. ☒ A fee in the amount of \$500.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: September 26, 2005


Hoon Choi
JONES DAY
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(202) 679-3939

L0209
(Limited Recog. No.)

09/27/2005 SZEWDIE1 00000047 503013 10084250
01 FC:1401 500.00 DA

for:

Anthony M. Insogna
JONES DAY
12750 High Bluff Drive, Suite 300
San Diego, CA 92130
(858) 314-1200

(Reg. No. 35,203)